

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JOEL B. MONTGOMERY, et al.,

Plaintiff,

:

Case No. 3:07-cv-470

-vs-

:

Magistrate Judge Michael R. Merz

MARY L. SANDERS, et al.,

Defendant.

**ORDER DENYING REQUEST FOR TELEPHONIC STATUS CONFERENCE BY
FEBRUARY 1, 2012, AND REPORTING STATUS**

This case is before the Court on Plaintiff's Motion to Request Telephonic Status Conference by February 1, 2012 (Doc. No. 143). The Motion is denied for failure to comply with S. D. Ohio Civ. R. 7.3.

The Magistrate Judge wishes to report that he has received the required clearance to review the classified documents in question but has not yet taken delivery of the safe required by regulation for protection of the material, although he is advised that it should be shipped no later than February 3, 2012. On January 31, 2012, a special agent of the FBI and an Assistant United States Attorney were at chambers to make an ex parte declaration regarding the documents, but were unable to leave them because the safe had not yet been delivered.

In the future, a telephone conference can be obtained without formal motion by request to Judicial Assistant Kelly Kopf, provided the party requesting the conference has conferred with counsel for the opposing party.

February 1, 2012.

s/ **Michael R. Merz**
United States Magistrate Judge